

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

|   |   |                                      |
|---|---|--------------------------------------|
| OGLALA SIOUX TRIBE and ROSEBUD                    | ) | Case No.: 13-5020                    |
| SIOUX TRIBE as <i>parens patriae</i> , to protect | ) |                                      |
| the rights of their tribal members, and           | ) |                                      |
| ROCHELLE WALKING EAGLE,                           | ) |                                      |
| MADONNA PAPPAN, and LISA YOUNG,                   | ) |                                      |
| individually and on behalf of all other persons   | ) |                                      |
| similarly situated,                               | ) |                                      |
|   | ) |                                      |
| Plaintiffs,                                       | ) | <b>MARK VARGO'S JOINDER IN JUDGE</b> |
|   | ) | <b>DAVIS' SUPPLEMENTAL REPLY</b>     |
|   | ) | <b>BRIEF</b>                         |
| v.  | ) |                                      |
|   | ) |                                      |
| LUANN VAN HUNNIK; MARK VARGO;                     | ) |                                      |
| HON. JEFF DAVIS; and KIM MALSAM-                  | ) |                                      |
| RYSDON, in their official capacities,             | ) |                                      |
|   | ) |                                      |
| Defendants.                                       | ) |                                      |

Defendant, Mark Vargo, through attorneys, J. Crisman Palmer and Sara Frankenstein of Gunderson, Palmer, Nelson & Ashmore, LLP, respectfully join in Defendant Judge Davis's Supplemental Reply Brief which was filed on January 14, 2014, in compliance with the Court's Order for Further Briefing dated December 12, 2013.

Dated: January 16, 2014.

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& ASHMORE, LLP

By: /s/J. Crisman Palmer

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**CERTIFICATE OF SERVICE**

I hereby certify on January 16, 2014, a true and correct copy of **MARK VARGO'S JOINDER IN JUDGE DAVIS' SUPPLEMENTAL REPLY BRIEF** was served electronically through the CM/ECF system upon the following individuals:

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